

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PEOPLE OF THE STATE OF CALIFORNIA, Ex
Rel. EDMUND G. BROWN, JR., ATTORNEY
GENERAL,

Plaintiff,

v.

FEDERAL HOUSING FINANCE AGENCY;
EDWARD DeMARCO, in his capacity as
Acting Director of FEDERAL HOUSING
FINANCE AGENCY; FEDERAL HOME LOAN
MORTGAGE CORPORATION; CHARLES E.
HALDEMAN, Jr., in his capacity as
Chief Executive Officer of FEDERAL
HOME LOAN MORTGAGE CORPORATION;
FEDERAL NATIONAL MORTGAGE
ASSOCIATION; MICHAEL J. WILLIAMS, in
his capacity as Chief Executive
Officer of FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Defendants.

No. 10-cv-03084 CW

ORDER SETTING
SCHEDULING AND
BRIEFING FOR
PENDING MOTIONS IN
RELATED CASES

SONOMA COUNTY and PLACER COUNTY,

Plaintiffs,

v.

FEDERAL HOUSING FINANCE AGENCY;
EDWARD DeMARCO, in his capacity as
Acting Director of FEDERAL HOUSING
FINANCE AGENCY; FEDERAL HOME LOAN
MORTGAGE CORPORATION; CHARLES E.
HALDEMAN, Jr., in his capacity as
Chief Executive Officer of FEDERAL

No. 10-cv-03270 CW

HOME LOAN MORTGAGE CORPORATION;
FEDERAL NATIONAL MORTGAGE
ASSOCIATION; MICHAEL J. WILLIAMS, in
his capacity as Chief Executive
Officer of FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Defendants.

SIERRA CLUB,

Plaintiff,

v.

FEDERAL HOUSING FINANCE AGENCY;
EDWARD DeMARCO, in his capacity as
Acting Director of FEDERAL HOUSING
FINANCE AGENCY,

Defendants.

CITY OF PALM DESERT,

Plaintiff,

v.

FEDERAL HOUSING FINANCE AGENCY;
FEDERAL NATIONAL MORTGAGE
ASSOCIATION; FEDERAL HOME LOAN
MORTGAGE CORPORATION,

Defendants.

No. 10-cv-03317 CW

No. 10-cv-04482 CW

1 On October 14, 2010, Defendant FHFA filed identical motions to
2 dismiss in three related cases, California v. FHFA, et al., 10-cv-
3 03084, County of Sonoma v. FHFA, et al., 10-cv-03270, and Sierra
4 Club v. FHFA, et al., 10-cv-03317. Docket Nos. 49, 41 & 18,
5 respectively. Defendant FHFA has not filed its motion to dismiss
6 in City of Palm Desert v. FHFA, et. al, 10-cv-04482. According to
7 their case management statement of October 26, 2010, Defendant FHFA
8 and Plaintiff Palm Desert seek to delay Defendant FHFA's response
9 to its complaint until January 17, 2011. Nonetheless, the Court
10 orders Defendant FHFA to file on November 5, 2010, its motion to
11 dismiss in the City of Palm Desert action. Defendant FHFA is also
12 ordered to file on November 5, 2010, its motion to dismiss in
13 response to Plaintiff-Intervener Placer County's complaint in
14 intervention. The Court will consider together the motion to
15 dismiss in the four related cases.

16 On October 26, 2010, based on a stipulation by Plaintiffs in
17 the first-filed three related cases, California v. FHFA, et al.,
18 10-cv-03084, Sonoma County v. FHFA, et al., 10-cv-03270, and Sierra
19 Club v. FHFA, et al., 10-cv-03317, the Court ordered that
20 Plaintiffs in those actions file a single, fifty-page opposition to
21 Defendant's motion to dismiss, clearly identifying any arguments
22 that are unique to individual Plaintiffs. The Court orders that
23 Plaintiffs in all four of the above-captioned, related cases,
24 including Plaintiff-Intervener Placer County, file a single
25 opposition to Defendant's motion to dismiss, clearly identifying
26 any arguments that are unique to individual Plaintiffs. The
27 opposition shall be filed by November 12, 2010, and shall not
28

1 exceed fifty pages.

2 In a separate order, the Court required that by November 3,
3 2010, (1) Plaintiff Placer County shall submit its complaint in
4 intervention in the action, County of Sonoma v. FHFA, et al., 10-
5 cv-03270, and (2) the California Attorney General shall file its
6 amicus curiae brief in support of Plaintiff Sonoma County's motion
7 for preliminary injunction in that case.

8 By November 5, 2010, Defendant FHFA shall file its motion to
9 dismiss in the City of Palm Desert action, 10-cv-04482, and in
10 response to Plaintiff Placer County's complaint in intervention in
11 County of Sonoma v. FHFA, et al., 10-cv-03270. Also by November 5,
12 2010, Defendant FHFA shall file its response to the California
13 Attorney General's amicus brief, in a supplemental brief, not to
14 exceed fifteen pages. This brief shall not repeat any arguments in
15 its motion to dismiss or in its opposition to Plaintiff Sonoma
16 County's motion for preliminary injunction.

17 By November 12, 2010, Plaintiffs in all four related cases and
18 Plaintiff-Intervener Placer County shall file a single, fifty-page
19 opposition to Defendant FHFA's motion to dismiss. They shall
20 clearly identify any arguments that are unique to individual
21 Plaintiffs. Also by November 12, 2010, Plaintiff Sonoma County
22 shall file its reply to Defendant's opposition to the motion for
23 preliminary injunction. Its brief shall not exceed fifteen pages,
24 and shall not repeat any argument made in its opposition to
25 Defendant FHFA's motion to dismiss.

26 By November 15, 2010, amicus California shall file its reply
27 to Defendant's opposition to the motion for preliminary injunction.

1 California's brief shall not exceed fifteen pages, and shall not
2 repeat any arguments made in Sonoma County's reply.

3 By November 19, 2010, Defendant FHFA shall file its reply to
4 Plaintiffs' single opposition to the motion to dismiss, not to
5 exceed thirty pages.

6 On December 2, 2010, at 2:00 pm the Court will hear argument
7 on both the motion for preliminary injunction and the motion to
8 dismiss, and will hold a case management conference. A joint case
9 management statement shall be filed by November 24, 2010.

10 IT IS SO ORDERED.

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12
13 Dated 11/1/10



CLAUDIA WILKEN
United States District Judge